

By Carin - June 14/11 Be...

JERRY BEAUMONT  
St. Gerald Lang

A BILL TO BE ENTITLED  
AN ACT  
relating to admissions to and programs at The University of Texas  
at Dallas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 70, Education Code, is amended by adding

Section 70.08 to read as follows:

Sec. 70.08. UNDERGRADUATE ADMISSIONS. (a) The board of

regents of The University of Texas System may provide for the  
admission and enrollment of not more than 2,000 entering freshman  
students at The University of Texas at Dallas.

(b) The board may provide for the admission of undergraduate  
transfer students with less than 54 semester hours of college  
credit at The University of Texas at Dallas as provided by this  
section. The board shall control the admission and enrollment of  
entering freshmen and of undergraduate transfer students with less  
than 54 semester hours of college credit in a manner that ensures  
that the enrollment of students classified as freshmen and  
sophomores at the institution does not exceed 5,000, except as  
provided by Subsection (c) of this section.

(c) For each academic year, in addition to the enrollments  
targeted by the academic plan for that academic year, The  
University of Texas at Dallas may admit an additional number of  
students equal to not more than four percent of the targeted number  
if those students are classified as sophomores, have earned more

1 than 29 but less than 54 semester hours of college credit at a  
2 community college in the Dallas or the Collin County Community  
3 College district, and otherwise meet the minimum criteria for  
4 transfer admission to The University of Texas at Dallas. This  
5 subsection does not limit or otherwise affect the enrollment of  
6 students at The University of Texas at Dallas who have earned  
7 semester credit hours at a community college in the Dallas or the  
8 Collin County Community College district and who otherwise compete  
9 successfully for admission and enrollment at The University of  
10 Texas at Dallas.

11 (d) It is the intent of the legislature that minority  
12 students be full participants in the educational opportunities  
13 created by the admission of lower-division undergraduate students  
14 to The University of Texas at Dallas primarily in programs leading  
15 to degrees in natural sciences, mathematics, and engineering.  
16 Therefore, until the minority student populations at The University  
17 of Texas at Dallas are fully representative of the state's minority  
18 populations, the board shall cause to be set aside for each  
19 academic year from among the enrollments targeted by the academic  
20 plan for that academic year a number of enrollments equal to not  
21 less than five percent of the targeted number, and those  
22 enrollments are to be reserved exclusively for admission of  
23 minority students.

24 (e) The board shall develop policies for undergraduate  
25 admission to The University of Texas at Dallas that emphasize the  
26 admission and enrollment of lower-division students who intend to  
27 enroll in academic programs leading to degrees in natural sciences,

1 mathematics, or engineering. Nothing in this section prohibits a  
2 public senior college or university in the North Texas region from  
3 creating and developing undergraduate and graduate programs in the  
4 areas of natural sciences, mathematics, and engineering.

5 (f) At a minimum, in addition to other qualitative criteria  
6 that the board may establish, the board shall provide that the  
7 admission criteria for entering freshmen and for transfer students  
8 with less than 54 semester hours of college credit be no less  
9 stringent than the criteria for admission to The University of  
10 Texas at Austin for those students.

11 (g) The board shall continue to provide for the admission at  
12 The University of Texas at Dallas of undergraduate transfer  
13 students with 54 or more semester hours of college credit. The  
14 admission criteria effective on March 1, 1989, for those students  
15 may continue in effect but may be amended from time to time by the  
16 board. In amending those criteria, the board shall consider that  
17 one of the primary missions of The University of Texas at Dallas is  
18 to serve those students who have received freshman-level and  
19 sophomore-level undergraduate instruction at community colleges  
20 located in the surrounding area.

21 (h) This section does not affect the criteria for admission  
22 to graduate programs at The University of Texas at Dallas.

23 (i) In this section, the number of students is determined by  
24 head count.

25 SECTION 2. (a) The University of Texas at Dallas may admit  
26 freshman and sophomore students beginning with the first summer  
27 session of 1990. Notwithstanding Sections 70.08(a) and (b),

1 Education Code, as added by this Act, for the period beginning with  
2 the first summer session of 1990 and continuing through the last  
3 summer session of 1991, and for the academic year beginning with  
4 the fall semester of 1991, the board of regents of The University  
5 of Texas System shall cause the academic plan for The University of  
6 Texas at Dallas to restrict the total enrollment of lower-division  
7 students to not more than 1,040 for each such periods.

8 (b) It is the intent of the legislature that any general  
9 revenue funds appropriated to The University of Texas at Dallas for  
10 costs related to the implementation of this Act not exceed \$500,000  
11 for each year of the fiscal biennium beginning September 1, 1989.

12 (c) For the fiscal biennium that follows the fiscal biennium  
13 beginning September 1, 1989, in addition to the funding that is  
14 provided by the regular general academic institution formulas, The  
15 University of Texas at Dallas is entitled to the incremental  
16 funding for enrollments in junior-level and senior-level courses  
17 that is provided by the upper-level formulas to those institutions  
18 that enroll only junior-level and senior-level undergraduate  
19 students, and the Texas Higher Education Coordinating Board shall  
20 take that entitlement into account in preparing its formula  
21 recommendation under Section 61.059, Education Code.

22 SECTION 3. (a) Notwithstanding any other provision of this  
23 Act, the admission and enrollment of lower-division students at The  
24 University of Texas at Dallas is contingent on the prior approval  
25 of the Texas Higher Education Coordinating Board.

26 (b) The passage of this legislation is in no way intended to  
27 either encourage or discourage a particular result or decision by

1 the coordinating board.

2 SECTION 4. This Act takes effect 90 days after the  
3 adjournment of the 1st Called Session of the 71st Legislature,  
4 except that Section 1 of this Act takes effect May 16, 1990.

5 SECTION 5. The importance of this legislation and the  
6 crowded condition of the calendars in both houses create an  
7 emergency and an imperative public necessity that the  
8 constitutional rule requiring bills to be read on three several  
9 days in each house be suspended, and this rule is hereby suspended.

# HOUSE COMMITTEE REPORT

89 JUN 22 PM 7: 51  
HOUSE OF REPRESENTATIVES

## 1st Printing

By Cain, F. Hill of Dallas, et al.

H.B. No. 42

Substitute the following for H.B. No. 42:

By Delco

C.S.H.B. No. 42

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(b) The board may provide for the admission of undergraduate transfer students with less than 54 semester hours of college credit at The University of Texas at Dallas as provided by this section. The board shall control the admission and enrollment of entering freshmen and of undergraduate transfer students with less than 54 semester hours of college credit in a manner that ensures that the enrollment of students classified as freshmen and sophomores at the institution does not exceed 5,000, except as provided by Subsection (c) of this section.

(c) For each academic year, in addition to the enrollments targeted by the academic plan for that academic year, The University of Texas at Dallas may admit an additional number of students equal to not more than four percent of the targeted number if those students are classified as sophomores, have earned more

1 than 29 but less than 54 semester hours of college credit at a  
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3 College district, and otherwise meet the minimum criteria for  
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16 board. In amending those criteria, the board shall consider that  
17 one of the primary missions of The University of Texas at Dallas is  
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19 sophomore-level undergraduate instruction at community colleges  
20 located in the surrounding area.

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 24 University of Texas at Dallas is contingent on the prior approval  
 25 of the Texas Higher Education Coordinating Board.

26 (b) The passage of this legislation is in no way intended to  
 27 either encourage or discourage a particular result or decision by

1 the coordinating board.

2 (c) It is the intent of the legislature that no public funds  
3 may be expended on any matter requiring coordinating board approval  
4 under the terms of this section until approval by the coordinating  
5 board is granted. This subsection does not prohibit the governing  
6 board from accepting any private gift, grant, or donation or from  
7 using public funds for presentations to the coordinating board  
8 under this section.

9 SECTION 4. This Act takes effect 90 days after the  
10 adjournment of the 1st Called Session of the 71st Legislature,  
11 except that Section 1 of this Act takes effect May 16, 1990.

12 SECTION 5. The importance of this legislation and the  
13 crowded condition of the calendars in both houses create an  
14 emergency and an imperative public necessity that the  
15 constitutional rule requiring bills to be read on three several  
16 days in each house be suspended, and this rule is hereby suspended.

COMMITTEE REPORT

The Honorable Gib Lewis  
Speaker of the House of Representatives

June 22, 1989  
(date)

Sir:

We, your COMMITTEE ON HIGHER EDUCATION,

to whom was referred H.B. 42 have had the same under consideration and beg to report  
(measure)  
back with the recommendation that it

- ( ) do pass, without amendment.
- ( ) do pass, with amendment(s).
- ☒ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ( ) no An actuarial analysis was requested. ( ) yes ☒ no

An author's fiscal statement was requested. ( ) yes ☒ no

A criminal justice policy impact statement was prepared. ( ) yes ☒ no

A water development policy impact statement was requested. ( ) yes ☒ no

( ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars for placement on the ( ) Local, ( ) Consent, or ( ) Resolutions Calendar.

This measure ( ) proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Delco, Ch.	X			
Rangel, V.C.	X			
Watkins, C.B.O.			X	
Hudson, D.	X			
Hunter, B.	X			
Hunter, T.	X			
McDonald	X			
Price				X
Uher		X		

Total  
6 aye  
1 nay  
1 present, not voting  
1 absent

Wilhelmina Delco  
CHAIRMAN  
Debra K. Wall  
COMMITTEE COORDINATOR

## **BILL ANALYSIS**

**H.B. 42**

**By: Rep. Cain**

**C.S.H.B. 42**

**By: Rep. Delco**

### **BACKGROUND:**

The University of Texas at Dallas was created by the 61st Legislature as a result of a 1969 study on increasing higher educational opportunity throughout Texas. Initially, legislation was proposed that would have created a four-year institution - The University of Texas at Dallas - offering instruction from the freshman level through the doctoral degree level. The proposed university was to be established through a gift of the site and research facilities of the Southwest Center for Advanced Studies acquired by the University of Texas System and through the retention of the faculty of the center. Prior to passage that session, the legislation was amended to require the admissions of The University of Texas at Dallas be restricted to junior-, senior-, and graduate-level students and to prevent the new university from implementing degree programs that would disadvantage the curricular objectives of the University of North Texas, Texas Women's University, East Texas State University, or The University of Texas at Arlington. The result created The University of Texas at Dallas as the only upper-level institution in the country to have graduate programs through the Ph.D. level and the only upper-level university in the country to have significant science and mathematics research programs.

This legislation proposes the creation of a limited-enrollment, restrictive-admissions university emphasizing the admission of freshman and sophomores who will major in the natural sciences, mathematics or engineering while continuing to offer a broad range of programs to accommodate those students who take their first two years of instruction at community colleges.

### **PURPOSE:**

This legislation establishes The University of Texas at Dallas as a four-year institution of Higher education emphasizing the enrollment of lower-division students who will study natural sciences, mathematics and engineering.

### **RULE MAKING AUTHORITY:**

It is the opinion of the committee that this bill grants additionally rule making authority to the governing board of The University of Texas at Dallas under Section 1, subsections (e) and (f) of this Act.

### **SECTION BY SECTION ANALYSIS:**

Section 1. Amends Chapter 70, Education Code, by adding Section 70.08.

Sec. 70.08. **UNDERGRADUATE ADMISSIONS.** (a) Authorizes The University of Texas System Board of Regents to provide for the enrollment of not more than 2,000 entering freshman at The University of Texas at Dallas.

(b) Provides for the admission of undergraduate transfer students with the restriction that the enrollment of the institution not exceed 5,000 students in the lower-division classes.

(c) Requires the system board to provide for a number of admissions equal to four percent of the targeted enrollment for sophomore transfer students who have earned credit hours in the Dallas or Collin County Community College districts. Prohibits this subsection from limiting the number of students who have earned credit hours at a Dallas or Collin County Community College and who otherwise qualify for admission.

(d) Establishes legislative intent that minority students participate in the lower-division classes and requires the board to set aside enrollment slots equal to five percent of the targeted enrollment to be reserved for minority students.

(e) Requires the board to develop policies that would emphasize the admission of freshman and sophomore students who will major in the natural sciences, mathematics or engineering.

(f) Requires the admissions criteria to the University of Texas at Dallas for entering freshman and lower-division transfer students be at least equivalent to the criteria for admission to The University of Texas at Austin.

(g) Requires The University of Texas at Dallas to continue to provide for admissions of upper-division students with current admissions criteria which can be updated. In amending the criteria, the board must consider its primary mission of serving those students who have done lower-division work at area community colleges.

(h) Provides that this section does not affect criteria for admission to the university's graduate programs.

(i) Requires enrollment numbers listed in this section be determined by headcount.

Section 2. (a) Establishes session law that allows the university to admit freshman and sophomore students beginning with the summer semester 1990 and restricts enrollment during those periods to 1,040 students each semester through the fall semester 1991.

(b) Establishes legislative intent that general revenue funds appropriated to the university for the expansion not exceed \$500,000 for each year of the biennium beginning Sept. 1, 1989.

(c) Authorizes the university to continue receiving incremental funding designed for upper-level institutions for enrollments in junior and senior courses for the fiscal biennium beginning after the fiscal biennium beginning Sept. 1, 1989, in addition to regular funding for enrollment in the freshman and sophomore level courses. Requires the Coordinating Board to base its formula recommendation on that provision.

Section 3. (a) Establishes that the admission and enrollment of lower-division students at The University of Texas at Dallas is contingent on the prior approval of the Texas Higher Education Coordinating Board.

(b) Establishes that the passage of this legislation is in no way intended to encourage or discourage a particular result or decision by the coordinating board.

(c) Establishes the legislative intent that no public funds may be expended on any matter requiring coordinating board approval under the terms of this section until approval by the coordinating board has been granted. This section, however, does not prohibit the governing board from accepting any private gift, grant, or donation or from using public funds for presentations to the coordinating board.

Section 4. Establishes the effective date as 90 days after the adjournment of the 1st Called Session of the 71st Legislature, except that Section 1 of this Act takes effect May 16, 1990.

Section 5. Emergency Clause

**COMPARISON OF ORIGINAL TO SUBSTITUTE:**

The committee substitute changed the legislation in the following way:

Adds Subsection (c) to Section 3. Establishing legislative intent that no public funds may be expended on any matter requiring coordinating board approval under the terms of this section until approval by the coordinating board is granted. This subsection does not prohibit the governing board from accepting any private gift, grant, or donation or from using public funds for presentations to the coordinating board.

An additional technical change occurs on page 4 line 7 where the word periods is changed to "period".

**SUMMARY OF COMMITTEE ACTION:**

Pursuant to the suspension of the House Rules allowing committees to meet while the House is in session, and Pursuant to an announcement filed with the Journal Clerk, the House Committee on Higher Education met in a formal meeting 6/22/89 in the Speaker's Committee Room and considered H.B. 42 which was included in the Governor's call to the 1st called Special Session of the 71st Legislature.

Chairman Delco laid out the bill and recognized its author, Representative David Cain to explain the Act. The Chair sent up C.S.H.B 42. Representative Cain explained the difference between the original and the substitute. The Chair then moved adoption of C.S.H.B.42 by Delco. Their being no objection C.S.H.B. 42 was adopted. Representative Bob Hunter moved that C.S.H.B. 42 be reported back to the full House with the recommendation that it pass. The motion to report H.B. 42, as substituted, favorably back to the full House prevailed by a record vote of 6 Ayes, 1 Nay, 1 PNV, and 1 Absent.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

June 22, 1989

TO: Honorable Wilhelmina Delco, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

In Re: Committee Substitute  
for House Bill No. 42,  
First Called Session

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 42, First Called Session (relating to admissions to and programs at The University of Texas at Dallas) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill adds Freshman and Sophomore instruction to The University of Texas at Dallas. To estimate costs, enrollment for lower division courses are projected at 1,040 full-time students for fiscal years 1991 and 1992 and 5,000 for 1993 and 1994.

The University of Texas System states that (1) new enrollments are expected to be daytime students who will not create a need for additional educational and general facilities prior to the end of fiscal 1994; (2) no physical education curriculum will be offered, thereby obviating the need for the construction of physical education facilities; and (3) previous and planned allocation of Permanent University Fund bond proceeds and private sector funds to the library eliminate the need for any general revenue funds over those generated by the formula to accommodate the library needs of lower division students.

The bill states that it is the intent of the legislature that general revenue appropriations to the University of Texas at Dallas for costs related to the implementation of the provisions of the bill not exceed \$500,000 for each year of the fiscal biennium beginning September 1, 1989.

Based on the above enrollment projections and assertions by The University of Texas System, the probable cost to the State of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$ 500,000
1991	500,000
1992	1,279,000
1993	1,279,000
1994	4,850,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

Lower enrollments at other state-supported institutions of higher education may result in some offsetting savings to the State. However, those savings cannot be estimated with reasonable accuracy.

No fiscal implications to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Higher Education Coordinating Board; The University of Texas System;  
LBB Staff: JO, JWH, AL, CKM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

June 21, 1989

TO: Honorable Wilhelmina Delco, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

In Re: House Bill No. 42  
First Called Session  
By: Cain, et. al.

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(( This is Insert 1 ))

**ADOPTED** as amended

JUN 26 1989  
*Betty Murray*  
Chief Clerk  
House of Representatives

By Cain, *F. Hill of Dallas, et al.*

H.B. No. 42

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By *Delco*

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6 Texas at Dallas to restrict the total enrollment of lower-division  
7 students to not more than 1,040 for each such period.

8 (b) It is the intent of the legislature that any general  
9 revenue funds appropriated to The University of Texas at Dallas for  
10 costs related to the implementation of this Act not exceed \$500,000  
11 for each year of the fiscal biennium beginning September 1, 1989.

12 (c) For the fiscal biennium that follows the fiscal biennium  
13 beginning September 1, 1989, in addition to the funding that is  
14 provided by the regular general academic institution formulas, The  
15 University of Texas at Dallas is entitled to the incremental  
16 funding for enrollments in junior-level and senior-level courses  
17 that is provided by the upper-level formulas to those institutions  
18 that enroll only junior-level and senior-level undergraduate  
19 students, and the Texas Higher Education Coordinating Board shall  
20 take that entitlement into account in preparing its formula  
21 recommendation under Section 61.059, Education Code.

22 ~~SECTION 3.~~ (( INSERT 2 ))  
23 (a) Notwithstanding any other provision of this  
24 Act, the admission and enrollment of lower-division students at The  
25 University of Texas at Dallas is contingent on the prior approval  
26 of the Texas Higher Education Coordinating Board.

27 (b) The passage of this legislation is in no way intended to  
either encourage or discourage a particular result or decision by

1 the coordinating board.

2 (c) It is the intent of the legislature that no public funds  
3 may be expended on any matter requiring coordinating board approval  
4 under the terms of this section until approval by the coordinating  
5 board is granted. This subsection does not prohibit the governing  
6 board from accepting any private gift, grant, or donation or from  
7 using public funds for presentations to the coordinating board  
8 under this section.

9 SECTION 4. This Act takes effect 90 days after the  
10 adjournment of the 1st Called Session of the 71st Legislature,  
11 except that Section 1 of this Act takes effect May 16, 1990.

12 SECTION 5. The importance of this legislation and the  
13 crowded condition of the calendars in both houses create an  
14 emergency and an imperative public necessity that the  
15 constitutional rule requiring bills to be read on three several  
16 days in each house be suspended, and this rule is hereby suspended.

Amend the committee substitute for H.B. 42 by striking Section 3 and inserting in lieu thereof the following, Section 3:

((cc This is Insert 2 ))

SECTION 3 (a) Notwithstanding any other provision of this Act, implementation of Section 70.08, Education Code, is contingent on the prior approval of the Texas Higher Education Coordinating Board and shall be granted only after the coordinating board makes a determination that the admission of lower <sup>V</sup> division students meets the appropriate criteria as determined by the coordinating board, including but not limited to those applicable elements cited in Chapter 61, Subchapter C, Education Code. No public funds may be expended on any matter requiring coordinating board approval under the terms of this section until approval by the coordinating board is granted. This provision does not prohibit the Board of Regents of the University of Texas System from accepting any private gift, grant, or donation or from using public funds for presentations to the coordinating board under this section. Any such private gift, grant, or donation may not be expended prior to the determination of the coordinating board required by this section.

(b) The determination of the coordinating board shall be made in a fair and equitable manner and the review required herein shall be conducted in a manner consistent with the current statutory authority of the Texas Higher Education Coordinating Board. The passage of this legislation is in no way intended to either encourage or discourage a particular result or decision by the coordinating board.

**ADOPTED**

JUN 26 1989

*Betty Murray*  
Chief Clerk  
House of Representatives

# HOUSE ENGROSSMENT

89 JUN 26 PM 7: 16  
HOUSE OF REPRESENTATIVES

By Cain, F. Hill of Dallas, et al.

H.B. No. 42

## A BILL TO BE ENTITLED

### AN ACT

relating to admissions to and programs at The University of Texas at Dallas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 70, Education Code, is amended by adding Section 70.08 to read as follows:

Sec. 70.08. UNDERGRADUATE ADMISSIONS. (a) The board of regents of The University of Texas System may provide for the admission and enrollment of not more than 2,000 entering freshman students at The University of Texas at Dallas.

(b) The board may provide for the admission of undergraduate transfer students with less than 54 semester hours of college credit at The University of Texas at Dallas as provided by this section. The board shall control the admission and enrollment of entering freshmen and of undergraduate transfer students with less than 54 semester hours of college credit in a manner that ensures that the enrollment of students classified as freshmen and sophomores at the institution does not exceed 5,000, except as provided by Subsection (c) of this section.

(c) For each academic year, in addition to the enrollments targeted by the academic plan for that academic year, The University of Texas at Dallas may admit an additional number of students equal to not more than four percent of the targeted number if those students are classified as sophomores, have earned more

1 than 29 but less than 54 semester hours of college credit at a  
2 community college in the Dallas or the Collin County Community  
3 College district, and otherwise meet the minimum criteria for  
4 transfer admission to The University of Texas at Dallas. This  
5 subsection does not limit or otherwise affect the enrollment of  
6 students at The University of Texas at Dallas who have earned  
7 semester credit hours at a community college in the Dallas or the  
8 Collin County Community College district and who otherwise compete  
9 successfully for admission and enrollment at The University of  
10 Texas at Dallas.

11 (d) It is the intent of the legislature that minority  
12 students be full participants in the educational opportunities  
13 created by the admission of lower-division undergraduate students  
14 to The University of Texas at Dallas primarily in programs leading  
15 to degrees in natural sciences, mathematics, and engineering.  
16 Therefore, until the minority student populations at The University  
17 of Texas at Dallas are fully representative of the state's minority  
18 populations, the board shall cause to be set aside for each  
19 academic year from among the enrollments targeted by the academic  
20 plan for that academic year a number of enrollments equal to not  
21 less than five percent of the targeted number, and those  
22 enrollments are to be reserved exclusively for admission of  
23 minority students.

24 (e) The board shall develop policies for undergraduate  
25 admission to The University of Texas at Dallas that emphasize the  
26 admission and enrollment of lower-division students who intend to  
27 enroll in academic programs leading to degrees in natural sciences,

1 mathematics, or engineering. Nothing in this section prohibits a  
 2 public senior college or university in the North Texas region from  
 3 creating and developing undergraduate and graduate programs in the  
 4 areas of natural sciences, mathematics, and engineering.

5 (f) At a minimum, in addition to other qualitative criteria  
 6 that the board may establish, the board shall provide that the  
 7 admission criteria for entering freshmen and for transfer students  
 8 with less than 54 semester hours of college credit be no less  
 9 stringent than the criteria for admission to The University of  
 10 Texas at Austin for those students.

11 (g) The board shall continue to provide for the admission at  
 12 The University of Texas at Dallas of undergraduate transfer  
 13 students with 54 or more semester hours of college credit. The  
 14 admission criteria effective on March 1, 1989, for those students  
 15 may continue in effect but may be amended from time to time by the  
 16 board. In amending those criteria, the board shall consider that  
 17 one of the primary missions of The University of Texas at Dallas is  
 18 to serve those students who have received freshman-level and  
 19 sophomore-level undergraduate instruction at community colleges  
 20 located in the surrounding area.

21 (h) This section does not affect the criteria for admission  
 22 to graduate programs at The University of Texas at Dallas.

23 (i) In this section, the number of students is determined by  
 24 head count.

25 SECTION 2. (a) The University of Texas at Dallas may admit  
 26 freshman and sophomore students beginning with the first summer  
 27 session of 1990. Notwithstanding Sections 70.08(a) and (b),



Education Code, as added by this Act, for the period beginning with the first summer session of 1990 and continuing through the last summer session of 1991, and for the academic year beginning with the fall semester of 1991, the board of regents of The University of Texas System shall cause the academic plan for The University of Texas at Dallas to restrict the total enrollment of lower-division students to not more than 1,040 for each such period.

(b) It is the intent of the legislature that any general revenue funds appropriated to The University of Texas at Dallas for costs related to the implementation of this Act not exceed \$500,000 for each year of the fiscal biennium beginning September 1, 1989.

(c) For the fiscal biennium that follows the fiscal biennium beginning September 1, 1989, in addition to the funding that is provided by the regular general academic institution formulas, The University of Texas at Dallas is entitled to the incremental funding for enrollments in junior-level and senior-level courses that is provided by the upper-level formulas to those institutions that enroll only junior-level and senior-level undergraduate students, and the Texas Higher Education Coordinating Board shall take that entitlement into account in preparing its formula recommendation under Section 61.059, Education Code.

SECTION 3. (a) Notwithstanding any other provision of this Act, implementation of Section 70.08, Education Code, is contingent on the prior approval of the Texas Higher Education Coordinating Board and shall be granted only after the coordinating board makes a determination that the admission of lower-division students meets the appropriate criteria as determined by the coordinating board,

including but not limited to those applicable elements cited in Subchapter C, Chapter 61, Education Code. No public funds may be expended on any matter requiring coordinating board approval under the terms of this section until approval by the coordinating board is granted. This provision does not prohibit the board of regents of The University of Texas System from accepting any private gift, grant, or donation or from using public funds for presentations to the coordinating board under this section. Any such private gift, grant, or donation may not be expended prior to the determination of the coordinating board required by this section.

(b) The determination of the coordinating board shall be made in a fair and equitable manner and the review required herein shall be conducted in a manner consistent with the current statutory authority of the Texas Higher Education Coordinating Board. The passage of this legislation is in no way intended to either encourage or discourage a particular result or decision by the coordinating board.

SECTION 4. This Act takes effect 90 days after the adjournment of the 1st Called Session of the 71st Legislature, except that Section 1 of this Act takes effect May 16, 1990.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

June 22, 1989

TO: Honorable Wilhelmina Delco, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

In Re: Committee Substitute  
for House Bill No. 42,  
First Called Session

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Committee Substitute for House Bill No. 42, First Called Session (relating to admissions to and programs at The University of Texas at Dallas) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill adds Freshman and Sophomore instruction to The University of Texas at Dallas. To estimate costs, enrollment for lower division courses are projected at 1,040 full-time students for fiscal years 1991 and 1992 and 5,000 for 1993 and 1994.

The University of Texas System states that (1) new enrollments are expected to be daytime students who will not create a need for additional educational and general facilities prior to the end of fiscal 1994; (2) no physical education curriculum will be offered, thereby obviating the need for the construction of physical education facilities; and (3) previous and planned allocation of Permanent University Fund bond proceeds and private sector funds to the library eliminate the need for any general revenue funds over those generated by the formula to accommodate the library needs of lower division students.

The bill states that it is the intent of the legislature that general revenue appropriations to the University of Texas at Dallas for costs related to the implementation of the provisions of the bill not exceed \$500,000 for each year of the fiscal biennium beginning September 1, 1989.

Based on the above enrollment projections and assertions by The University of Texas System, the probable cost to the State of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$ 500,000
1991	500,000
1992	1,279,000
1993	1,279,000
1994	4,850,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

Lower enrollments at other state-supported institutions of higher education may result in some offsetting savings to the State. However, those savings cannot be estimated with reasonable accuracy.

No fiscal implications to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Higher Education Coordinating Board; The University of Texas System;  
LBB Staff: JO, JWH, AL, CKM

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

June 21, 1989

TO: Honorable Wilhelmina Delco, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

In Re: House Bill No. 42  
First Called Session  
By: Cain, et. al.

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 42, First Called Session (relating to admissions to and programs at The University of Texas at Dallas) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill adds Freshman and Sophomore instruction to The University of Texas at Dallas. To estimate costs, enrollment for lower division courses are projected at 1,040 full-time students for fiscal years 1991 and 1992 and 5,000 for 1993 and 1994.

The University of Texas System states that (1) new enrollments are expected to be daytime students who will not create a need for additional educational and general facilities prior to the end of fiscal 1994; (2) no physical education curriculum will be offered, thereby obviating the need for the construction of physical education facilities; and (3) previous and planned allocation of Permanent University Fund bond proceeds and private sector funds to the library eliminate the need for any general revenue funds over those generated by the formula to accommodate the library needs of lower division students.

Based on the above enrollment projections and assertions by The University of Texas System, the probable cost to the State of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

<u>Fiscal Year</u>	<u>Probable Cost Out of the General Revenue Fund</u>
1990	\$ 500,000
1991	500,000
1992	1,279,000
1993	1,279,000
1994	4,850,000

Similar annual costs would continue as long as the provisions of the bill are in effect.

Lower enrollments at other state-supported institutions of higher education may result in some offsetting savings to the State. However, those savings cannot be estimated with reasonable accuracy.

No fiscal implications to units of local government is anticipated.

Criminal Justice Policy Impact Statement: No change in the sanctions applicable to adults convicted of felony crimes is anticipated.

Source: Higher Education Coordinating Board; The University of Texas System; LBB Staff: JO, JWH, AL, NH

# SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby  
President of the Senate

June 27, 1989  
(date)/(time)

Sir:

We, your Committee on EDUCATION to which was referred  
HB 42 by CAN / HARRIS have on 6/27, 19 89, had the same  
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

- (☒) do pass and be printed  
( ) do pass and be ordered not printed  
( ) and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. (☒) yes ( ) no

A revised fiscal note was requested. ( ) yes (☒) no

An actuarial analysis was requested. ( ) yes (☒) no

Considered by subcommittee. ( ) yes (☒) no

Senate Sponsor of House Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Parker, Chairman	<input checked="" type="checkbox"/>			
Truan, Vice Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Barrientos	<input checked="" type="checkbox"/>			
Brooks	<input checked="" type="checkbox"/>			
Edwards	<input checked="" type="checkbox"/>			
Green	<input checked="" type="checkbox"/>			
Haley	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Johnson	<input checked="" type="checkbox"/>			
Krier	<input checked="" type="checkbox"/>			
Uribe	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Zaffirini	<input checked="" type="checkbox"/>			
TOTAL VOTES	7	3		

Sally Hammet  
COMMITTEE CLERK

Carl Parker  
CHAIRMAN

**ENROLLED**

H.B. No. 42

AN ACT

relating to admissions to and programs at The University of Texas at Dallas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 70, Education Code, is amended by adding Section 70.08 to read as follows:

Sec. 70.08. UNDERGRADUATE ADMISSIONS. (a) The board of regents of The University of Texas System may provide for the admission and enrollment of not more than 2,000 entering freshman students at The University of Texas at Dallas.

(b) The board may provide for the admission of undergraduate transfer students with less than 54 semester hours of college credit at The University of Texas at Dallas as provided by this section. The board shall control the admission and enrollment of entering freshmen and of undergraduate transfer students with less than 54 semester hours of college credit in a manner that ensures that the enrollment of students classified as freshmen and sophomores at the institution does not exceed 5,000, except as provided by Subsection (c) of this section.

(c) For each academic year, in addition to the enrollments targeted by the academic plan for that academic year, The University of Texas at Dallas may admit an additional number of students equal to not more than four percent of the targeted number if those students are classified as sophomores, have earned more

1 than 29 but less than 54 semester hours of college credit at a  
2 community college in the Dallas or the Collin County Community  
3 College district, and otherwise meet the minimum criteria for  
4 transfer admission to The University of Texas at Dallas. This  
5 subsection does not limit or otherwise affect the enrollment of  
6 students at The University of Texas at Dallas who have earned  
7 semester credit hours at a community college in the Dallas or the  
8 Collin County Community College district and who otherwise compete  
9 successfully for admission and enrollment at The University of  
10 Texas at Dallas.

11 (d) It is the intent of the legislature that minority  
12 students be full participants in the educational opportunities  
13 created by the admission of lower-division undergraduate students  
14 to The University of Texas at Dallas primarily in programs leading  
15 to degrees in natural sciences, mathematics, and engineering.  
16 Therefore, until the minority student populations at The University  
17 of Texas at Dallas are fully representative of the state's minority  
18 populations, the board shall cause to be set aside for each  
19 academic year from among the enrollments targeted by the academic  
20 plan for that academic year a number of enrollments equal to not  
21 less than five percent of the targeted number, and those  
22 enrollments are to be reserved exclusively for admission of  
23 minority students.

24 (e) The board shall develop policies for undergraduate  
25 admission to The University of Texas at Dallas that emphasize the  
26 admission and enrollment of lower-division students who intend to  
27 enroll in academic programs leading to degrees in natural sciences,

1 mathematics, or engineering. Nothing in this section prohibits a  
 2 public senior college or university in the North Texas region from  
 3 creating and developing undergraduate and graduate programs in the  
 4 areas of natural sciences, mathematics, and engineering.

5 (f) At a minimum, in addition to other qualitative criteria  
 6 that the board may establish, the board shall provide that the  
 7 admission criteria for entering freshmen and for transfer students  
 8 with less than 54 semester hours of college credit be no less  
 9 stringent than the criteria for admission to The University of  
 10 Texas at Austin for those students.

11 (g) The board shall continue to provide for the admission at  
 12 The University of Texas at Dallas of undergraduate transfer  
 13 students with 54 or more semester hours of college credit. The  
 14 admission criteria effective on March 1, 1989, for those students  
 15 may continue in effect but may be amended from time to time by the  
 16 board. In amending those criteria, the board shall consider that  
 17 one of the primary missions of The University of Texas at Dallas is  
 18 to serve those students who have received freshman-level and  
 19 sophomore-level undergraduate instruction at community colleges  
 20 located in the surrounding area.

21 (h) This section does not affect the criteria for admission  
 22 to graduate programs at The University of Texas at Dallas.

23 (i) In this section, the number of students is determined by  
 24 head count.

25 SECTION 2. (a) The University of Texas at Dallas may admit  
 26 freshman and sophomore students beginning with the first summer  
 27 session of 1990. Notwithstanding Sections 70.08(a) and (b),



1 Education Code, as added by this Act, for the period beginning with  
 2 the first summer session of 1990 and continuing through the last  
 3 summer session of 1991, and for the academic year beginning with  
 4 the fall semester of 1991, the board of regents of The University  
 5 of Texas System shall cause the academic plan for The University of  
 6 Texas at Dallas to restrict the total enrollment of lower-division  
 7 students to not more than 1,040 for each such period.

8 (b) It is the intent of the legislature that any general  
 9 revenue funds appropriated to The University of Texas at Dallas for  
 10 costs related to the implementation of this Act not exceed \$500,000  
 11 for each year of the fiscal biennium beginning September 1, 1989.

12 (c) For the fiscal biennium that follows the fiscal biennium  
 13 beginning September 1, 1989, in addition to the funding that is  
 14 provided by the regular general academic institution formulas, The  
 15 University of Texas at Dallas is entitled to the incremental  
 16 funding for enrollments in junior-level and senior-level courses  
 17 that is provided by the upper-level formulas to those institutions  
 18 that enroll only junior-level and senior-level undergraduate  
 19 students, and the Texas Higher Education Coordinating Board shall  
 20 take that entitlement into account in preparing its formula  
 21 recommendation under Section 61.059, Education Code.

22 SECTION 3. (a) Notwithstanding any other provision of this  
 23 Act, implementation of Section 70.08, Education Code, is contingent  
 24 on the prior approval of the Texas Higher Education Coordinating  
 25 Board and shall be granted only after the coordinating board makes  
 26 a determination that the admission of lower-division students meets  
 27 the appropriate criteria as determined by the coordinating board,

including but not limited to those applicable elements cited in Subchapter C, Chapter 61, Education Code. No public funds may be expended on any matter requiring coordinating board approval under the terms of this section until approval by the coordinating board is granted. This provision does not prohibit the board of regents of The University of Texas System from accepting any private gift, grant, or donation or from using public funds for presentations to the coordinating board under this section. Any such private gift, grant, or donation may not be expended prior to the determination of the coordinating board required by this section.

(b) The determination of the coordinating board shall be made in a fair and equitable manner and the review required herein shall be conducted in a manner consistent with the current statutory authority of the Texas Higher Education Coordinating Board. The passage of this legislation is in no way intended to either encourage or discourage a particular result or decision by the coordinating board.

SECTION 4. This Act takes effect 90 days after the adjournment of the 1st Called Session of the 71st Legislature, except that Section 1 of this Act takes effect May 16, 1990.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

H.B. No. 42

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 42 was passed by the House on June 26, 1989, by a non-record vote.

---

Chief Clerk of the House

I certify that H.B. No. 42 was passed by the Senate on June 28, 1989, by a viva-voce vote.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 42 was passed by the House  
(1)

on June 26, 1989, by a non-record vote.  
(2)

---

Chief Clerk of the House

I certify that H.B. No. 42 was passed by the Senate

on June 28, 1989, by a viva-voce vote.  
(3)

---

Secretary of the Senate

APPROVED:

---

Date

---

Governor

\*\*\*\* Preparation: 'A;CT26;

Guerrero  
Lucio, Jr.  
H. B. No. 42  
A. L. L.  
N. McDonald  
relating to admissions to and programs at The University of Texas at Dallas.

A BILL TO BE ENTITLED

AN ACT

FIRST CALLED SESSION

JUN 21 1989

JUN 21 1989

JUN 22 1989

JUN 22 1989

JUN 23 1989

JUN 26 1989

JUN 26 1989

1. Filed with the Chief Clerk.
2. Read first time and Referred to Committee on Education
3. Reported favorably as amended was substituted and sent to Printer at 5:35 pm
4. Printed and distributed at 5:36 pm
5. Sent to Committee on Calendars at 5:36 pm
6. Read second time as subs. (amended) passed to third reading (failed) by (Non-Record Vote) (Record Vote of 108 years, 22 nays, and 0 present, not voting)
7. Motion to reconsider and table the vote by which H.B. \_\_\_\_\_ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).
8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of 108 years, 22 nays, and 0 present, not voting.

JUN 26 1989

JUN 26 1989

JUN 26 1989

JUN 26 1989

JUN 27 1989

JUN 27 1989

JUN 27 1989

JUN 28 1989

JUN 28 1989

JUN 28 1989

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. \_\_\_\_\_ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

12. Ordered Engrossed at 3:00 pm

13. Engrossed.

14. Returned to Chief Clerk at 7:16 pm

15. Sent to Senate.

Betty Murray  
Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on EDUCATION

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by (a viva voce vote.) 24 years, 4 nays.)

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

JUN 28 1989

23. Read second time \_\_\_\_\_ passed to third reading by:  
(a viva voce vote.)  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

24. Caption ordered amended to conform to body of bill.

JUN 28 1989

25. Senate and Constitutional 3-Day Rules suspended by vote of 25 yeas,  
4 nays to place bill on third reading and final passage.

JUN 28 1989

26. Read third time and passed by  
(a viva voce vote.)  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION:

OTHER ACTION:

*Betty King*  
Secretary of the Senate

6-29-89

27. Returned to the House.

JUN 29 1989

28. Received from the Senate ~~(with amendments)~~  
~~(as substituted)~~

29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

30. Conference Committee Ordered.

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

JUN 29 1989

32. Ordered Enrolled at 10:10 am

HOUSE OF REPRESENTATIVES

89 JUN 26 PM 7:16

HOUSE OF REPRESENTATIVES

89 JUN 22 PM 7:51